

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

[1] (currently amended): A transmission power control method in a mobile communication system in which a mobile station connects with a plurality of radio base stations simultaneously;

in said radio base station, said method comprising:

a step of measuring a receiving level of an up-link from the mobile station; and

a step of transmitting up-transmission power instruction information for

instructing that up-transmission power be lowered to the mobile station when the receiving level

is not less than a predetermined target value and of transmitting up-transmission power

instruction information for instructing that up-transmission power be raised to the mobile station

when the receiving level is below the predetermined target value:

in the mobile station, said method comprising:

a step of receiving the up-transmission power instruction information from the plurality of radio base stations connected thereto; and

a step of determining up-transmission power using only up-transmission power instruction information from radio base stations having down-links of at least a predetermined communication quality ~~or more~~, from among the up-transmission power instruction information received from the radio base stations.

[2] (currently amended): The transmission power control method according to Claim 1, wherein, in determining up-transmission power in the mobile terminal, a determination is made to raise the up-transmission power when all pieces of the up-transmission power instruction information from the radio base stations having down-links of at least the predetermined quality ~~or more~~ are instructions for raising the transmission power, and a determination is made to lower the up-transmission power when at least one piece of up-transmission power instruction information is an instruction for lowering the transmission power.

[3] (currently amended): A mobile communication system performing soft handover and transmission power control, comprising:

a plurality of radio base stations for transmitting up-transmission power instruction information for lowering up-transmission power to a down-link when the receiving level of an up-link is not less than a predetermined up-target value, and for transmitting up-transmission power instruction information for raising up-transmission power to the down-link when the receiving level is below the predetermined up-target value; and

a mobile station for determining up-transmission power using only the up-transmission power instruction information received from radio base stations having down-links of at least a predetermined communication quality ~~or more~~, from among the up-transmission power instruction information received from the plurality of radio base stations that are connected by soft handover.

[4] (currently amended): The mobile communication system according to Claim 3, wherein, in determining up-transmission power by the mobile station, a determination is made to

raise the up-transmission power when all pieces of the up-transmission power instruction information from radio base stations having down-links of at least the predetermined quality ~~or~~ ~~more~~ are instructions for raising the transmission power, and a determination is made to lower the up-transmission power when at least one piece of up-transmission power instruction information is an instruction for lowering the transmission power.

[5] (original): The mobile communication system according to Claim 3 or 4, wherein said mobile station transmits down-transmission power instruction information for instructing that down-transmission power be lowered to an up-link when the receiving level of the down-link is not less than a predetermined down target value, and transmits down-transmission power instruction information for instructing that down-transmission power be raised to the up-link when the receiving level is below the predetermined down target value; and wherein said radio base station determines down-transmission power using the down-transmission power instruction information received from the mobile station connected thereto.

[6] (currently amended): A mobile station apparatus used in a mobile communication system performing soft handover and transmission power control, comprising:

a receiver for receiving signals of down-links from a plurality of radio base stations connected by soft handover;

an up-link transmission power calculation unit for determining up- transmission power using only up-transmission power instruction information extracted from signals received from down-links of at least a predetermined communication quality ~~or more~~, from among signals received by the receiver; and

a transmitter for transmitting the signals to the up-links with the up- transmission power determined by the up-link transmission power calculation unit.

[7] (currently amended): The mobile station apparatus according to Claim 6, wherein, in determining up-transmission power by the up-link transmission power calculation unit, a determination is made to raise the up- transmission power when all pieces of the up- transmission power instruction information extracted from signals received from the down-links of at least the predetermined quality ~~or more~~ are instructions for raising the transmission power, and a determination is made to lower the up-transmission power when at least one piece of up- transmission power instruction information is an instruction for lowering the up-transmission power.

[8] (original): The mobile station apparatus according to Claim 6 or 7 further comprising:

a down-link receiving level measurement unit for measuring a receiving level of the down-link in the receiver; and

a down link receiving level comparison unit for transmitting down-transmission power instruction information for instructing that the down-transmission power be lowered to the up-link via the transmitter when the receiving level measured by the down-link receiving level measurement unit is not lower than a predetermined target value, and for transmitting down- transmission power instruction information for instructing that the down-transmission power be raised to the up-link via the transmitter when the receiving level measured by the down-link receiving level measurement unit is below the predetermined target value.